

Amendments to the Specification

Please replace the paragraph at page 34 line 2, under the heading titled Deposits, with the following:

Applicant has made a deposit of at least 2500 seeds of Canola Cultivar 45A55 with the American Type Culture Collection (ATCC), Manassas, VA. 20110-2209 USA. ATCC Deposit No. PTA-5684. The seeds deposited with the ATCC on December 5, 2003 were taken from the deposit A deposit of the new 45A55 canola line is and has been maintained by Pioneer Hi-Bred International, Inc., 800 Capital Square, 400 Locust Street, Des Moines, Iowa 50309-2340, since prior to the filing date of this application. Access to this deposit will be available during the pendency of the application to the Commissioner of Patents and Trademarks and persons determined by the Commissioner to be entitled thereto upon request. Upon the maturation allowance of any claims in the of this application into a patent, the Applicant(s) will make the deposit available to the public without restriction a pursuant to 37 C.F.R. § 1.808 sample(s) of the deposit of at least 2500 seeds of the 45A55 line deposited at the American Type Culture Collection (ATCC), 10801 University Boulevard, Manassas, VA Virginia 20110-2209. The seeds deposited with the ATCC will be taken from the same deposit maintained at Pioneer Hi-Bred and described above. Additionally, Applicant(s) will comply with all of the requirements of 37 C.F.R. §§1.801 – 1.809, including providing an indication of the viability of the sample when the deposit is made. This deposit of seed of the 45A55 line will be maintained in the ATCC, which is a public depository recognized by the Budapest Treaty, Depository, which is a public depository, for a period of 30 years, or 5 years after the most recent request, or for the enforceable life of the patent, whichever is longer, and will be replaced if it ever becomes nonviable during that period. More specifically, 45A55 seeds of the 45A55 line were deposited under the terms of the Budapest Treaty at the ATCC on 45A55 where they have been assigned ATCC Accession No. \_\_\_\_\_. Additionally, Applicant has satisfied all the requirements of 37 C.F.R. §§ 1.801 – 1.809, including providing an indication of the viability of the sample upon deposit. Applicant(s) will impose Applicant imposes no restrictions on the availability to the public of the deposited material from the ATCC; however, Applicant(s) Applicant has/have no authority to waive any restrictions imposed by law on the transfer of biological material or its transportation in commerce. Applicant(s) Applicant does/do not waive any infringement of its

their rights granted under ~~any patents or breeder's rights granted in any country including rights~~  
under this patent and/or under the Plant Variety Protection Act (7 USC 2321 et seq.).